

# Daily Digest

## HIGHLIGHTS

Senate and House passed H.J. Res. 78, Continuing Appropriations.

The House agreed to the conference report on H.R. 2417, Intelligence Authorization Act for FY 2004.

## Senate

### Chamber Action

*Routine Proceedings, pages S15211–15323*

**Measures Introduced:** Fifteen bills and two resolutions were introduced, as follows: S. 1897–S. 1911, and S. Res. 269–270. **Pages S15286–87**

#### Measures Reported:

S. 1741, to provide a site for the National Women's History Museum in the District of Columbia. (S. Rept. No. 108–204)

S. 1425, to amend the Safe Drinking Water Act to reauthorize the New York City Watershed Protection Program, with an amendment. (S. Rept. No. 108–205)

S. 1567, to amend title 31, United States Code, to improve the financial accountability requirements applicable to the Department of Homeland Security, with an amendment in the nature of a substitute. **Page S15286**

#### Measures Passed:

**Hugh Gregg Post Office Building:** Senate passed H.R. 3185, to designate the facility of the United States Postal Service located at 38 Spring Street in Nashua, New Hampshire, as the “Hugh Gregg Post Office Building”, clearing the measure for the President. **Page S15303**

**John G. Dow Post Office Building:** Senate passed H.R. 3166, to designate the facility of the United States Postal Service located at 57 Old Tappan Road in Tappan, New York, as the “John G. Dow Post Office Building”, clearing the measure for the President. **Page S15303**

**Health Care Safety Net Amendments Technical Corrections Act:** Committee on Health, Education, Labor, and Pensions was discharged from further consideration of H.R. 3038, to make certain technical and conforming amendments to correct the

Health Care Safety Net Amendments of 2002, and the bill was then passed, clearing the measure for the President. **Page S15303**

**Polio Threat:** Committee on Health, Education, Labor, and Pensions was discharged from further consideration of S. Res. 266, expressing the sense of the Senate with respect to polio, and the resolution was then agreed to. **Page S15303**

**National Museum of African American History and Culture:** Senate passed H.R. 3491, to establish within the Smithsonian Institution the National Museum of African American History and Culture, clearing the measure for the President. **Pages S15303–06**

**Congratulating John Gagliardi:** Senate agreed to S. Res. 270, congratulating John Gagliardi, football coach of St. John's University, on the occasion of his becoming the all-time winningest coach in collegiate history. **Page S15306**

**Motorsports:** Senate agreed to S. Res. 253, to recognize the evolution and importance of motorsports. **Pages S15306–07**

**Motorsports:** Senate agreed to H. Con. Res. 320, expressing the sense of the Congress regarding the importance of motorsports. **Page S15307**

**U.S. Fire Administration Authorization:** Senate passed S. 1152, to reauthorize the United States Fire Administration, after agreeing to the committee amendment in the nature of a substitute, and the following amendment proposed thereto: **Pages S15307–10**

Frist (for McCain) Amendment No. 2207, in the nature of a substitute. **Page S15310**

**D.C. Superior Court Judgeships:** Senate passed S. 1561, to preserve existing judgeships on the Superior Court of the District of Columbia. **Page S15310**

***Fairness to Contact Lens Consumer Act:*** Senate passed H.R. 3140, to provide for availability of contact lens prescriptions to patients, clearing the measure for the President. **Page S15310**

***Continuing Appropriations:*** Senate passed H.J. Res. 78, making further continuing appropriations for the fiscal year 2004, after agreeing to the following amendment proposed thereto: **Page S15310**

Frist Amendment No. 2208, to make a technical correction. **Page S15310**

**Energy Policy Act—Conference Report:** Senate continued consideration of the conference report to accompany H.R. 6, to enhance energy conservation and research and development, to provide for security and diversity in the energy supply for the American people. **Pages S15212–52, S15255–72**

A unanimous-consent agreement was reached providing for further consideration of the conference report at 9:30 a.m., on Friday, November 21, 2003, with 60 minutes of debate prior to the vote on the motion to close further debate thereon. **Page S15252**

**Healthy Forests Restoration Act:** Senate insisted on its amendments to H.R. 1904, to improve the capacity of the Secretary of Agriculture and the Secretary of the Interior to plan and conduct hazardous fuels reduction projects on National Forest System lands and Bureau of Land Management lands aimed at protecting communities, watersheds, and certain other at-risk lands from catastrophic wildfire, to enhance efforts to protect watersheds and address threats to forest and rangeland health, including catastrophic wildfire, across the landscape, and agreed to the House request for a conference on the disagreeing votes of the two Houses thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Cochran, McConnell, Crapo, Domenici, Harkin, Leahy, and Daschle. **Page S15217**

**Nominations Received:** Senate received the following nominations:

Stuart W. Holliday, of Texas, to be an Alternate Representative of the United States of America to the Sessions of the General Assembly of the United Nations during his tenure of service as Alternate Representative of the United States of America for Special Political Affairs in the United Nations.

Jonathan Baron, of Maryland, to be a Member of the Board of Directors of the National Board for Education Sciences for a term of three years. (New Position)

Elizabeth Ann Bryan, of Texas, to be a Member of the Board of Directors of the National Board for Education Sciences for a term of four years. (New Position)

James R. Davis, of Mississippi, to be a Member of the Board of Directors of the National Board for Education Sciences for a term of two years. (New Position)

Robert C. Granger, of New Jersey, to be a Member of the Board of Directors of the National Board for Education Sciences for a term of four years. (New Position)

Frank Philip Handy, of Florida, to be a Member of the Board of Directors of the National Board for Education Sciences for a term of three years. (New Position)

Eric Alan Hanushek, of California, to be a Member of the Board of Directors of the National Board for Education Sciences for a term of two years. (New Position)

Caroline M. Hoxby, of Massachusetts, to be a Member of the Board of Directors of the National Board for Education Sciences for a term of four years. (New Position)

Gerald Lee, of Pennsylvania, to be a Member of the Board of Directors of the National Board for Education Sciences for a term of four years. (New Position)

Roberto Ibarra Lopez, of Texas, to be a Member of the Board of Directors of the National Board for Education Sciences for a term of two years. (New Position)

Richard James Milgram, of New Mexico, to be a Member of the Board of Directors of the National Board for Education Sciences for a term of three years. (New Position)

Sally Epstein Shaywitz, of Connecticut, to be a Member of the Board of Directors of the National Board for Education Sciences for a term of three years. (New Position)

Joseph K. Torgesen, of Florida, to be a Member of the Board of Directors of the National Board for Education Sciences for a term of four years. (New Position)

Herbert John Walberg, of Illinois, to be a Member of the Board of Directors of the National Board for Education Sciences for a term of three years. (New Position)

Ronald E. Meisberg, of Virginia, to be a Member of the National Labor Relations Board for the term of five years expiring August 27, 2008.

22 Air Force nominations in the rank of general.  
2 Army nominations in the rank of general.

Routine lists in the Army, Navy. **Pages S15316–23**

**Messages From the House:** **Pages S15281–82**

**Measures Referred:** **Page S15282**

**Enrolled Bills Signed:** **Page S15282**

**Enrolled Bills Presented:** **Page S15282**

Executive Communications: Page S15282  
 Petitions and Memorials: Pages S15283–86  
 Additional Cosponsors: Pages S15287–88  
 Statements on Introduced Bills/Resolutions: Pages S15288–S15301  
 Additional Statements: Pages S15279–81  
 Amendments Submitted: Pages S15301–02  
 Authority for Committees to Meet: Page S15302  
 Adjournment: Senate met at 9:30 a.m. and adjourned at 9:38 p.m. until 9:30 a.m. on Friday, November 21, 2003. (For Senate's Program, see the remarks of the Majority Leader in today's Record on page S15316).

## Committee Meetings

(Committees not listed did not meet)

### IRAQ

*Committee on Armed Services:* Committee met in closed session to receive a briefing on an assessment of the current situation in Iraq from Vice Admiral Lowell E. Jacoby, USN, Director, and Jami Miscik, Deputy Director for Intelligence, Central Intelligence Agency.

### NEW YORK STOCK EXCHANGE

*Committee on Banking, Housing, and Urban Affairs:* Committee concluded a hearing to examine improving the corporate governance of the New York Stock Exchange (NYSE), focusing on broker-dealer self-regulation, and regulatory autonomy with market sensitivity, after receiving testimony from William H. Donaldson, Chairman, Securities and Exchange Commission; and John S. Reed, New York Stock Exchange, New York, New York.

### MUTUAL FUND INDUSTRY

*Committee on Banking, Housing, and Urban Affairs:* Committee concluded a hearing to examine current investigations and regulatory actions regarding the mutual fund industry, focusing on the Securities and Exchange Commission's examination authority, disclosure, recent enforcement efforts and Rule 2830, cash and non-cash compensation practices and arrangements, breakpoint discounts, late trading and market timing, and investor education, after receiving testimony from Stephen M. Cutler, Director, Division of Enforcement, Securities and Exchange Commission; Robert R. Glauber, National Association of Securities Dealers, New York, New York; and New York State Attorney General Eliot Spitzer, Albany.

## PRESCRIPTION DRUG REIMPORTATION

*Committee on Commerce, Science, and Transportation:* Committee concluded a hearing to examine prescription drug importation, focusing on public health threats posed by the importation of unapproved, adulterated and misbranded drugs, as well as counterfeit drugs from foreign and domestic sources that pose a threat to the health and safety of U.S. consumers, after receiving testimony from Senators Santorum and Stabenow; Representatives Gutknecht and Sanders; former Representative David Funderburk, on behalf of TREA Senior Citizens League, Alexandria, Virginia; Minnesota Governor Tim Pawlenty, St. Paul; John M. Taylor III, Associate Commissioner for Regulatory Affairs, Food and Drug Administration, Department of Health and Human Services; Carmen A. Catizone, National Association of Boards of Pharmacy, Park Ridge, Illinois; Lewis Lubka, Fargo, North Dakota, on behalf of the Alliance for Retired Americans; and Donald MacArthur, European Association of Euro-Pharmaceutical Companies, Essex, England.

## NORTHEAST BLACKOUT

*Committee on Governmental Affairs:* Subcommittee on Oversight of Government Management, the Federal Workforce and the District of Columbia, concluded a hearing to examine the August 2003 Northeast blackouts and the Federal role in managing the Nation's electricity, focusing on events, actions, failures, and conditions that led to the blackout and caused it to effect such a large region, as well as questions relating to nuclear power operations and security of the grid control system, after receiving testimony from Pat Wood III, Chairman, Federal Energy Regulatory Commission; James W. Glotfelty, Director, Office of Electric Transmission and Distribution, Department of Energy; and Michehl R. Gent, North American Electric Reliability Council, Princeton, New Jersey.

## U.S. TAX SHELTER INDUSTRY

*Committee on Governmental Affairs:* Permanent Subcommittee on Investigations concluded a hearing to examine the role of professional organizations like accounting firms, law firms, and financial institutions in developing, marketing and implementing tax shelters, after receiving testimony from Mark Everson, Commissioner, Internal Revenue Service, Department of the Treasury; Richard Spillenkothen, Director, Banking Supervision and Regulation, Federal Reserve System; William J. McDonough, Public Company Accounting Oversight Board, Washington, D.C.; N. Jerold Cohen, Sutherland, Asbill, and Brennan, Atlanta, Georgia; John Larson, Presidio Advisory Services, San Francisco, California; Jeffrey